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C O N F I D E N T I A L SECTION 01 OF 02 BEIRUT 001577

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SUBJECT: MGLE01: NATIONAL ELECTORAL REFORM COMMISSION
REPORTEDLY REACHES CONSENSUS

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Classified By: Ambassador Jeffrey D. Feltman. Reason: Sections 1.4 (b) and (d).

SUMMARY

¶1. (SBU) According to a member of the national commission charged with reforming the electoral law, the commission has finally reached agreement on a draft law. The draft would call for a mixed electoral system, one with both small districts and large districts. According to this system, 79 Members of Parliament would be elected under a first-past-the-post system at the "qada" (small district) level, while the remaining 49 would be elected under a proportional system at the "mohafaza" (large district) level. The national commission member described this option as, "an intermediate phase that guarantees minorities' rights pending the abolition of sectarianism." End summary.

A 60-40 SOLUTION

¶2. (C) On May 19, law professor Michel Tabet, a member of the national commission appointed by Prime Minister Siniora to rewrite the electoral law (and one of the commission's two Maronite Christians), told us that he and his fellow commission members had finally reached agreement on the contentious issues of electoral systems and districts. During a meeting on May 17, they unanimously agreed to adopt a "mixed" electoral system. That is, 79 Members of Parliament -- a little over 60 percent -- would be elected on a majoritarian or first-past-the-post basis, running within electoral districts the boundaries of which followed Lebanon's small "qada" administrative districts. The remaining 49 would be elected on a proportional basis within electoral districts the boundaries of which followed the larger "mohafazat" or governorates.

WHAT THE ELECTORAL MAP LOOKS LIKE

¶3. (C) Tabet told us that the proposed electoral district map will consist of Lebanon's five historical "mohafazat," or governorates: North Lebanon, South Lebanon, the Biqa', Mount Lebanon, and Beirut. Parliamentary seats will be allocated

as follows:

-- North Lebanon: 17 MPs elected within the several small districts that make up the governorate, plus 11 candidates from the entire governorate.

-- South Lebanon: 14 MPs from the small districts, plus 9 from the entire governorate.

-- Biqa': 16 MPs from the small districts, plus 7 from the entire governorate.

-- Mount Lebanon will consist of two units. The first -- made up of the districts of Jbeil, the Keserwan, and the Metn -- will elect 22 MPs. The second -- made up of the districts of Baabda, Aley, and the Chouf -- will also elect 22 MPs. In addition, Mount Lebanon as a governorate will elect 13 MPs.

-- Beirut will consist of three units. Each unit will elect 10 MPs of its own. Beirut as a whole will elect 9 additional MPs.

BACK TO DRAWING BOARD ON VOTING PROCESS,
CAMPAIGN FINANCE, AND WOMEN,S QUOTA

14. (C) Tabet noted that, according to the expected final draft, elections will take place on a single day nationwide. (Comment: Past elections have been a staggered process, taking place in one governorate at a time over the course of several consecutive Sundays -- a feature that made elections susceptible to manipulation. End comment.) Voters will have to cast ballots in two boxes, one for candidates running at the governorate level, and another for candidates running in the smaller district of the governorate in which the voter resides.

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15. (SBU) One consequence of this agreement will be that the commission members must take another look at some of the elements of the draft law on which they agreed some time ago.

These include regulations on campaign finance, which were drafted on the assumption that MPs would be elected on a uniform basis. Having now agreed on a mixed system of big and small districts, commission members will have to come up with two different ceilings for campaign financing: one for candidates running at the "mohafaza" or governorate level, and another, lower one for candidates running at the "qada" or district level.

16. (C) Another part of the draft law now in need of revision is the gender quota, which requires that 30 percent of any group of candidates running together on a parliamentary "list" be women. This quota will now apply only to those candidates running at the "mohafaza" level, according to Tabet.

GETTING TO "YES, MORE OR LESS"

17. (C) "Reaching a unanimous agreement over one single electoral system was very difficult," Tabet told us. Several members initially expressed reservations about this mixed system. For example, Fayed Hajj Chahine, dean of the law faculty of Beirut's University of Saint Joseph, advocated bypassing the issue of drawing electoral district boundaries altogether. (None of the commission members is a topographer, Hajj Chahine had argued.)

18. (C) American University of Beirut professor Nawaf Salam, a Sunni Muslim close to Siniora and the Hariri family, was the main advocate on the commission of a mixed electoral system. Salam, according to Tabet, originally proposed a 50-50 split between candidates elected at the "mohafazah" and "qada" levels. Tabet claimed to have "strongly" opposed this

option, insisting instead on 60 percent of MPs elected at the "qada" level. Lawyer Ziad Baroud -- the commission's other Maronite member, who briefly resigned along with Tabet over the districting issue -- at first opposed dividing Mount Lebanon into two units. Baroud wanted to keep the Mount Lebanon "mohafaza" united, in the interest of presumably more effective Christian representation in Parliament.

¶19. (C) Tabet told us that the commission, with all the above disagreements now in the rear-view mirror, will submit a final draft law to the Prime Minister by the end of May. Until then, commission members have agreed not to leak any information to the media, but rather give the impression that discussions are still ongoing and that no agreement has yet been reached. Tabet expected the cabinet to endorse the draft law without amendment, because "it is acceptable to all parties." He expressed relief that all members were finally able to reach agreement, because "discussions had been extremely tough over the past couple of months, and none of us could take it anymore."

COMMENT

¶10. (SBU) This apparent consensus on the commission -- in which all of Lebanon's major confessional groups are represented -- is a relief. The commission's work has seen several extensions of an original deadline of early January as well as the brief, show-stopping resignation of two of its members (including Tabet). The mixed system they have adopted will make for a challenging public awareness campaign once the draft law is made public and submitted for approval (first to Siniora's cabinet, then to Parliament). Without pressure from grass-roots constituencies for electoral reform, Parliament -- all of whose members were elected under the current electoral law -- will have little incentive to change the status quo. We are in touch with civil society organizations to develop an aggressive public relations strategy to accompany the roll-out of this draft. End

Comment.

FELTMAN